

Prioritization Task Group Proposal to the California Child Welfare Council

The Child Welfare Council believes that families at risk of or involved in the child welfare system should have priority access to resources and services in order to ensure that all efforts are made to achieve its vision of every California child living in a safe, stable, permanent home, nurtured by healthy families with the capacity to meet the child's needs and support their well-being, and prepared to become a contributing adult member of society.

Prioritization Task Group Charge

Given that prioritization, or priority access to resources and services, has been a stated goal of the California Child Welfare Council for almost two years, at its December 2010 meeting, the Council formed a task group on prioritization. The task group's charge was to consider the Council's previous activities and discussion regarding prioritization, and to develop a concrete, actionable proposal for the Council's consideration.

The task group has met three times since receiving its charge and has developed the following Prioritization Proposal. The highlights of the prioritization proposal are as follows:

1. Addresses key “sticking points” from past Council discussions
2. Narrows a target population to provide clarity on where and how to move forward
3. Leverages the unprecedented opportunity to coordinate resources
4. Capitalizes resources that already exist—no new funding is requested.

Background

The issue of prioritization surfaced out of the initial set of recommendations made to the Council by its subcommittees in June 2009. In response to the question of how the Council should follow through on the subcommittee recommendations, it was determined that prioritization of families involved with child welfare was an overarching issue that should be addressed by the Council as a whole.

At the December 2009 meeting, the CWC endorsed a definition of prioritization as “timely access to effective treatment”, and heard from a moderated a panel that discussed two different approaches to prioritization. In Arizona, the prioritization agenda was established by statute and moved by executive order of Governor Janet Napolitano, enforcing collaboration to draw funding to the greatest extent possible to bring additional services. In Minnesota, prioritization was championed by a Children's Justice Initiative and a toolkit was developed to help interdisciplinary teams enhance capacities of systems to better serve families.

In March 2010 a full Council discussion was facilitated to determine what population the Council would prioritize. It was clearly affirmed that whole families would be the focus of prioritization, as the family is the context for child vulnerability. The CWC also began to discuss at what point prioritization would apply, and to what end. At that time the Council requested that staff draft a policy statement reflecting prior discussions.

The draft policy statement was reviewed by the Council in June 2010. The statement provided broad direction and was inclusive of prevention considerations. Ensuing CWC discussions were aimed at narrowing the population to be targeted for prioritization, identifying specific services and supports, defining accountability, and discussing operational approaches to prioritization. Subsequently, a data task group was convened, an initial Department-by-Department review was conducted, and county perspectives were gathered via focus groups.

Proposed Approach to Prioritization: Executive Order

The task group proposes that the CWC recommend that the Governor issue an Executive Order to guide next steps in prioritization. Considering the operational and political/fiscal advantages of beginning with a key subpopulation, it is proposed that the initial prioritization activities be focused on children and families involved in the Child Welfare Services system who have a reunification plan and who continue in the dependency system post-reunification. This recommendation is supported by the Council's vision and mission, and by the clear legal, moral, and fiscal obligation held by the State with regard to children who are in the foster care system.

Rationale for Focus on Reunification through Aftercare Families

The number of children in Family Reunification services or Post Family Reunification/Family Maintenance – 28,127 and 9,301 respectively--would translate to about 18,000 families statewide, a manageable number, especially if we start implementation with a small number of interested counties. There are several compelling reasons why the task group proposes initial prioritization focus on CWS-involved families with a reunification through aftercare plan:

- The Federal Child Welfare Act and state law require that reunification be the first option for permanency (PL 96-272).
- Existing funding streams across departments can be applied to this population.
- The long-term impact for children, youth and families who have been separated without adequate support to safely reunify is daunting.
- Prioritization of this population can help prevent further long-term trauma.
- Many former foster youth are focused on what could and should have happened for their families and advocate for services and supports which would have avoided removal and helped their family stay together safely.

- There are clearly identified outcomes for this population and the impact of prioritization can be tracked.
- Reunification population has clear points of action to leverage, including a case plan, court orders, case manager and the child and family team.
- Conditions that in and of themselves would not constitute grounds for removal of children from their parents (such as substandard housing or lack of income) can be barriers to reunifying children with their parents and terminating court involvement.
- The state has a special responsibility as the *de facto* parent for children in the Court Dependency system to ensure that they have the opportunity to be raised safely by their birth parents.
- Parents who comply with all requirements of their court orders that are within their control may be unable to access services without government assistance to remove barriers.

Proposed Executive Order Detail

The CWC recommends that the Governor issue an Executive Order to direct the Secretary of HHSA, in consultation with Labor and Workforce Development Agency; Corrections and Rehabilitation Agency; and the Business, Transportation and Housing Agency to prioritize services (including but not limited to: mental health, drug and alcohol services, domestic violence, housing, employment, community transition and other family strengthening services) to families in the Child Welfare Services system who have a court-ordered reunification plan by:

1. Identifying the extent to which services are already being prioritized, defined as these families receiving services on a “first call” basis.
2. Detailing barriers to full prioritization and what could be done to move beyond them.
3. Developing and implementing a plan for moving towards full prioritization of reunification families and reporting back on implementation of the plan.
4. Identifying data to be used for tracking and monitoring/reporting.
5. Presenting progress made in implementation of the Executive Order to the CWC at its regularly scheduled meetings.
6. Exploring feasibility of expanding prioritization to other populations of children and families who are in the CWS or at risk of entering CWS.

The CWC further recommends that the Governor reach out to the State Superintendent of Public Instruction to conduct a similar prioritization effort within the schools.

Rationale for Executive Order

(Why the Governor should do this...)

- Families' needs are complex and overlapping, and CWS relies on the brokering of services from other systems whose eligibility and funding may not align with this vision for prioritization.
- Enriched individualized services make a difference with respect to time in care, impact and outcomes for kids and families.
- Moral, legal and financial obligation to supporting safety, permanence and well-being for this population is less expensive, better for kids, spelled out in legislation, and is the highest obligation given state has custody.
- Builds upon the foundation established by the CWC as an inter-organizational collaboration, and an Executive order could further support collaboration and provide a vehicle for expediting positive outcomes.

Why the vehicle of an Executive order?

- Experience shows that the Governor's leadership and commitment to prioritizing services is critical to the success of the effort.
- Lays out a structure for moving forward with preliminary steps.
- An Executive order creates duty on the part of all agencies and departments, not just CWS, to be part of the solution.
- Difficult politically and practically to initially achieve through legislation.
- Does not preclude legislation once we have experience, learn lessons, and demonstrate success.

End Note

In fulfillment of its assignment, the Council's prioritization task group recommends the consideration of an executive order focusing on prioritizing services for reunification families in order to expedite their process and improve their outcomes.

The allocation of scarce resources in the current fiscal environment requires that efficiencies that could make those resources go further be examined. It is recognized that an analysis of displacement that could result from implementation of this proposal would be needed to balance fairness and equity for all Californians with the unique obligations that come from standing as parents for children who are dependents of the State.